

REMARKS/ARGUMENTS

This communication is in response to the Office Action issued on January 21, 2010. The Applicants have amended claims 1, 3, 4, 11, 13, 14, 21, 23 and 24. No new matter has been added. Claims 1, 3-7, 10, 11, 13-17, 20, 21, 23-27 and 30 are now pending in this application.

The Examiner rejected claims 1, 3-7, 10, 11, 13-17, 20, 21, 23-27 and 30 under 35 U.S.C. §103(a) as being unpatentable over Reed (U.S. Patent No. 6,263,209) in view of Nakagawa et al. (U.S. Patent No. 7,266,376). In response, the Applicants have amended claims 1, 11, and 21 to clarify that a predicted time is determined. The predicted time is a prediction of the time that the mobile user will satisfy the at least one condition, occurs before the at least one condition actually occurs, and is used to determine when to obtain new positioning information for the mobile user. This is feature is reflected in each of the independent claims 1, 11, and 21.

Reed discloses a wireless communication system capable of determining a current location and time of a user and, and, if the location and/or time matches a stored location and/or time, an alert is transmitted to the user. If there is no match, a predetermined amount of time is allowed elapse before the system performs another comparison of the location and/or time of the user and the stored location and/or time. In particular, Reed discloses that portable subscriber units carried by users conduct communications with the fixed portions of the wireless communication system, the communications including attribute information. The attributes of the portable subscriber units are recorded and stored. A determination is made by a portable subscriber unit in cooperation with the fixed portion, of the current time of day and the current location of the portable subscriber unit, through well-known techniques, such as GPS techniques

or transmitter identification codes. Then a comparison is made by the portable subscriber unit between the attribute (*e.g.*, ten minutes of closing), the current time of day, and the current position of the user to determine whether an alert is necessary. If the alert is found to be necessary, the portable subscriber unit then generates the alert. If not, the portable subscriber unit waits for a **predetermined time**, and then returns to obtain location information and make another comparison. Reed fails to disclose determining a prediction time as claimed in claims 1, 11, and 22. Reed does not perform any prediction about when a condition will occur. Thus, Reed fails to teach or suggest the invention of claims 1, 11 and 21.

Nakagawa fails to cure the deficiencies of Reed. Like Reed, Nakagawa expressly discloses acquiring new position information at a predetermined interval after an evaluation of whether a condition is satisfied. See col. 9, lines 32-33. The predicted time claimed in claims 1, 11, and 22 is used to determine when to obtain new position information (not at a predetermined time). The combination of Reed and Nakagawa, either alone or in combination, fails to teach or suggest the invention of claims 1, 11, and 21 because Nakagawa acquires new position information at a predetermined interval after an evaluation of whether a condition is satisfied.

Claims that depend on claims 1, 11 and 21, respectively, are also not taught for the reasons set forth with respect to claims 1, 11 and 21.

Each of the claims now pending in this application is believed to be in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested. Applicants invite the Examiner to contact the

undersigned attorney to discuss any remaining issues. Please charge any required fee to Hanify & King, P.C. Deposit Account No. 50-4545, Order No. 5231-047-US01.

Respectfully Submitted,

/Chadwick A. Jackson, 46, 495/

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Chadwick A. Jackson
Reg. No. 46,495

Hanify & King, Professional Corporation
Intellectual Property Law Department
1055 Thomas Jefferson St, N.W.
Suite 400
Washington, D.C. 20007
Direct: (202) 403-2102
Fax: (202) 429-4380